

Amendment No. 1 to HB0515

Dean  
Signature of Sponsor

**AMEND Senate Bill No. 657**

**House Bill No. 515\***

By deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-5-1103(c), is amended by deleting the subsection in its entirety and by substituting instead the following:

(c) Notwithstanding § 12-4-109(a)(2), any contract to perform administrative services shall be awarded to the contractor whose proposal offers the best value for the state rather than the least cost to the retail user of the signs. In determining the best value for the state, the department may consider:

(1) The quality of service offered;

(2) The contractor's overall qualifications to partner with the department.

This includes determining fair market value of advertising space and establishing a fee structure that provides a combination of revenue to the department and fair pricing to the advertisers;

(3) The contractor's financial resources and ability to perform;

(4) The percentage of revenue sharing provided to the department by the contractor; and

(5) Any other factor the department considers relevant.

SECTION 2. Tennessee Code Annotated, Section 54-5-1104, is amended by deleting the section in its entirety.

SECTION 3. Tennessee Code Annotated, Section 54-5-1106, is amended by deleting the section in its entirety and by substituting instead the following:

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**54-5-1106.** No lease payments, royalty payments, or funds of any type received by the state pursuant to this part shall be used for the purchase of nonconforming billboards or used as payment for the taking or removal of nonconforming billboards.

SECTION 4. Tennessee Code Annotated, Section 54-5-1110, is amended by deleting the section in its entirety and by substituting instead the following:

(a) Those food service businesses qualified under this program as of July 1, 2001, and that continue thereafter to be qualified and pay all fees required, shall not be replaced by any business that becomes qualified after July 1, 2001.

(b) Notwithstanding subsection (a), if the department elects to award advertising space based on a competitive selection process, the food service businesses qualified under the program as of July 1, 2001 will need to compete in such a competitive selection process and may be replaced by any business that submits a more competitive proposal under such a process.

SECTION 5. Tennessee Code Annotated, Section 54-5-1103(a)(2), is amended by deleting the first sentence in its entirety, which reads as follows:

Contracts for administrative services shall be subject to §§ 12-4-109--12-4-111.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.